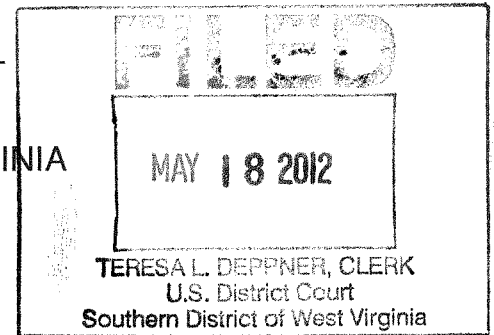


UNITED STATES DISTRICT COURT
for the
SOUTHERN DISTRICT OF WEST VIRGINIA



United States of America,
Plaintiff,

v

Civil Action No.: 10-cv-1087
Judge Copenhaver

\$88,029.08
Defendant.

John F. Tomasic and
Katherine A. Hoover MD
rightful owners.

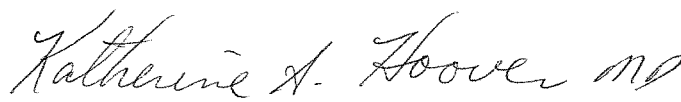
MOTION TO COMPEL THE UNITED STATES MARSHAL
TO FOLLOW JUDGE COPENHAVER'S ORDER OF
AUGUST , 2011 TO RETURN \$27,671.50 TO:
KATHERINE A. HOOVER AND JOHN F. TOMASIC

John F. Tomasic and Katherine A. Hoover MD respectfully request that Judge Copenhaver enforce the Order that he signed returning all of the money seized from WesBanco account xxxx3002 to John F. Tomasic and Katherine A. Hoover MD. The Order was signed in August 2011 dismissing 11-cv-0101 and returning \$27,671.50 to Katherine A. Hoover MD and John F. Tomasic, wife and husband. Judge Copenhaver has not enforced his own Order and allowed the United States Marshal to obstruct justice. The United States Marshal told Dr. Katherine Hoover that he was told by Assistant United States Attorney Betty Pullin not to follow the Court's Order. It is time for Judge Copenhaver to enforce his own Order and require that the United States Marshal return \$27,671.50 to the designated account of John F. Tomasic and Katherine A. Hoover MD. The failure by the United States Marshal in Charleston, West Virginia to comply with the Judge's Order at the request of the United States Attorney for the Southern District of West Virginia shows disrespect for the Court and contempt of the law.

WHEREFORE, John F. Tomasic and Katherine A. Hoover MD request that the Court ORDERS the United States Marshall to return \$27,671.50 forthwith and with prejudice to the designated account of John F. Tomasic and Katherine A. Hoover MD. The Court should add appropriate interest and penalties against the United States Attorney for the Southern District of West Virginia.

Respectfully submitted,


John F. Tomasic


Katherine A. Hoover MD

CERTIFICATE OF SERVICE

I, John F. Tomasic, to hereby certify that a true and correct copy of the foregoing MOTION TO COMPEL THE UNITED STATES MARSHAL TO FOLLOW JUDGE COPENHAVER'S ORDER OF AUGUST ,2011 TO RETURN \$27,671.50 TO KATHERINE A. HOOVER MD AND JOHN F. TOMASIC on May 15, 2012 by United States Mail to Assistant United States Attorney Betty Pullin PO Box 1713 Charleston, WV 25326.



John F. Tomasic
c/o Dr. Norman Gay
Box N 3222
West Bay Medical Clinic
West Bay Street
Nassau, N.P., Bahamas